

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MICHELLE CORRALES, Special  
Administratrix of the Estate of Diego Corrales,  
Plaintiff,

Case No. 2:07-cv-00141-LRH-LRL

vs.

JOSE LUIS CASTILLO,

**STIPULATION AND ORDER TO  
STAY CASE PENDING MEDIATION**

Defendant.

Defendant has proposed to plaintiff, and plaintiff has agreed, that this action be stayed pending the mediation between the parties currently scheduled for November 7, 2008. At said mediation, the parties will attempt to reach a global settlement of the actions between them, including (1) this action, (2) *Corrales v. Beltran et al.*, 2:07-CV-00827-RCJ-PAL, pending in this court, and (3) *Corrales et al. v. Top Rank, Inc. et al.*, Index No. 07-602618, pending in the Supreme Court of the State of New York, New York County. The parties agree that the stay of this matter pending mediation will materially assist the potential for settlement of the parties' claims.

IT IS HEREBY stipulated and agreed that,

1           (1) This action be stayed pending the November 7, 2008 mediation. If the parties have  
2 not notified this Court by November 12, 2008 that the parties have agreed to a settlement of this  
3 case, the stay shall be automatically lifted.

4           (2) If the parties fail to reach a settlement of this action by November 12, 2008, and  
5 Beltran is found to have failed to comply with the Court's contempt Order dated September 3,  
6 2008 (Docket No. 129), all fines, if any, to be assessed against Beltran in conjunction with the  
7 contempt Order shall continue to accrue during the stay period. If Beltran has complied with the  
8 contempt Order by November 12, 2008, the parties agree that no fines shall be assessed; this  
9 agreement does not apply to the attorneys' fees and/or costs that were held to be recoverable by  
10 the September 3, 2008 Order for Beltran's prior violations of the Court's February 12, 2008 Order  
11 (Docket No. 66), which would be recoverable, in so far as the Court deems appropriate, if a  
12 settlement is not reached.

13           (3) If a settlement is not reached, and the stay is automatically lifted pursuant to the  
14 terms of this stipulation, this agreement will be without prejudice to any motions previously  
15 brought by the parties but which have not been decided, including, but not limited to, Plaintiff's  
16 motion for contempt against Castillo (Docket No. 121), and Plaintiff's application for a conference  
17 with respect to Beltran's alleged contempt of the Court's September 3, 2008 Order (Docket No.  
18 137). Any such applications may be recommenced by the filing of a notice referencing the  
19 relevant prior Docket Entries, and it will not be necessary to re-file the applications in their  
20 entirety.


21           (4) This stipulation is without prejudice to any agreement between the parties to use  
22 discovery obtained in this case in the litigation *Corrales v. Beltran et al.*, 2:07-CV-00827-RCJ-  
23 PAL, and vice versa, as well as the parties' respective positions as to the scope of any such  
24 agreement.

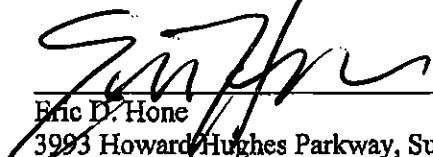
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1 Plaintiff's consent to the terms of this stipulation is contingent on the Court approving the  
2 stipulation in its entirety. In the event the Court does not approve all terms of this stipulation as  
3 agreed to by the parties, plaintiff reserves the right to withdraw her consent to the stipulation.

4 GORDON & SILVER, LTD.

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20 and Non-Party Fernando Beltran

21 IT IS SO ORDERED.

22   
23 LARRY R. HICKS  
24 UNITED STATES DISTRICT JUDGE

25 DATED: October 8, 2008  
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